EXHIBIT B

Docket No.: 023004.0103X1US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reexamination Application of:
Michael W. Graham et al.

Application No.: 90/007247 | Confirmation No.: 6310

Filed: October 4, 2004 | Art Unit: 1639

For: GENETIC CONSTRUCTS FOR DELAYING OR REPRESSING THE EXPRESSION OF A TARGET GENE | Examiner: B. M. Celsa

DECLARATION UNDER 37 C.F.R. § 1.131

Customer Window, MS Amendment
U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Dear Sir:

I, Kenneth Reed, Ph.D., declare as follows:

1. I am a resident and citizen of Australia. From early 1997 through to the filing of the priority document ("relevant time period") for the patent under reexamination, I was the Director of the Queensland Agricultural Biotechnology Centre (QABC), an operational centre of the Queensland State Government's Department of Primary Industries (DPI). Further, I was an observer on the board of directors for Ag-Gene Pty Limited, which subsequently became Benitec Limited, during this period of time.

2. The laboratory facilities of Ag-Gene were located at the QABC from early 1997 until after the filing of the priority document for the patent under reexamination. During this period of time, all full-time research employees hired by Ag-Gene (such as Robert Rice) and DPI employees who conducted research for Ag-Gene and whose salaries were paid in part by Ag-

Gene (such as Michael Graham and Margaret Bernard) worked in the laboratory facilities at QABC.

3. As the former Director of QABC I am knowledgeable about the operations of QABC and when the facilities were opened or closed during the relevant time period.

4. As an observer on the Board of Directors of Ag-Gene, I am knowledgeable about the employees hired by Ag-Gene, when they were hired, for what purpose they were hired, and under whose direction they worked during the relevant time period.

5. I have reviewed the above-identified reexamination, including the present claims. As I understand it, the presently claimed subject matter is generally directed to genetic constructs that are capable of delaying, repressing or otherwise reducing the expression of a target gene in an animal cell, as well as methods for using these constructs and animal cells comprising these constructs. I understand that the presently claimed constructs comprise at least one structural gene sequence placed operably in a sense orientation under the control of a promoter and at least one structural gene sequence placed operably in an antisense orientation under the control of a promoter, where the structural gene sequences comprise a nucleotide sequence which is substantially identical to at least a region of a target gene, and where

a. the multiple structural gene sequences are placed operably under the control of a single promoter sequence, where optionally the structural gene sequences in sense and antisense orientations are spaced from each other by a nucleic acid stuffer fragment; or

b. the structural gene sequences in sense and antisense orientations are each placed operably under the control of individual promoter sequences.

6. Exhibit 1 is my electronic diary entry of October 23, 1997 ("23/10/97"). This entry is related to a teleconference between myself, Geoff Lambert (at that time the Managing Director of Ag-Gene) and John Hunt (at that time a Non-Executive Director of Ag-Gene). The diary entry states "Robert Rice re co-suppression (MWG)." The purpose of this entry was to remind

myself to discuss prospects of hiring Robert Rice, an inventor of the patent under current reexamination, to study co-suppression in animal cells under the supervision of Michael Graham, *i.e.*, "(MWG)."

7. From what I recall, we wanted to hire someone with extensive experience in a range of molecular biological techniques and eukaryotic plasmid design and construction to make a series of genetic constructs that correspond to the invention that is referred to in paragraph 5 above and that were later included in the patent application now under re-examination. I reviewed Dr. Rice's C.V. in November of 1997 to determine his skill set. A copy of Dr. Rice's November 1997 C.V. is attached as Exhibit 2. Dr. Rice had the experience in eukaryotic plasmid design and construction that we were looking for. Further, his thesis topic was eukaryotic evolution and a study of eukaryotic divergence using ribosomal RNA sequence data and secondary structure remodeling. As such, Dr. Rice had experience with use of computers for systematic / bioinformatics analysis of DNA / RNA sequences. Ag-Gene decided to hire Dr. Rice sometime in November 1997 and extended an offer, which he accepted.

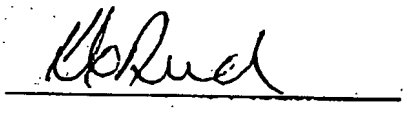
8. Dr. Rice arrived in Australia to start work at Ag-Gene on December 21, 1997. As I mentioned, the laboratory facilities of Ag-Gene were located at the QABC, an operational centre of the Queensland State Government's Department of Primary Industries. The Queensland State Government provided paid leave for Christmas day (December 25), Boxing Day (December 26) and New Year's Day (January 1). Further, the Queensland State Government mandated that all State Government employees do not work on the days between December 26 and January 1 and that such days must be taken as part of employees' annual leave entitlement. As such, the QABC laboratories and offices were closed from December 25 – January 1, 1997, inclusive. No entry to the QABC laboratories by any individual was permitted throughout that period for Government-mandated safety reasons. Further, it was customary in 1997/1998 for employees to take as leave Christmas Eve, December 24 and other days into early January.

9. It is my understanding that upon arrival Dr. Rice, under the supervision of Dr Graham, started researching the phenomenon of co-suppression in plants and designing a variety of DNA constructs to be used in animal models. It is my understanding that since the actual laboratory

facilities were not open over Christmas and into early January, 1998, Dr. Rice and Dr. Graham spent the period between December 22, 1997 and mid-January 1998 meeting to discuss co-suppression and DNA construct designs.

10. It is also my understanding the work of Dr. Rice and Dr. Graham narrowed down the exemplary constructs and Dr. Rice designed the approximately 35 plasmid constructs attached as Exhibit 3 no later than the dates set forth in Exhibit 3.

11. I declare that all statements made of my own knowledge are true and all statements made on information and belief I believed to be true. I make this declaration with the understanding that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the patent.



April 23, 2007

Kenneth Reed, Ph.D. Date

EXHIBIT 1

16/10/97 9:00 AM Aquaculture Industry Development Meeting: Lani West to attend. Aquaculture Industry Development (South) Subprogram meeting with staff. Joondoburri Training Centre, BIARC. Mike Potter to confirm and send further details at a later date.
16/10/97 2:00 PM :
16/10/97 2:00 PM PLY to meet with Peter Neville:
16/10/97 5:10 PM SYD-BNE: AM136:
17/10/97 Biodiversity Convention Working Group on Biosafety: Montreal
17/10/97 PLY Acting Director:
17/10/97 KCR in London with Geoff Lambert:
17/10/97 11:00 AM PLY, MWG & RGD to discuss QABC IP:
17/10/97 3:30 PM Seminar - Mr Tim Smith: "Boron Deficiency of avocado" Room 323, Hartley Teakle Bldg
20/10/97 Kathleen Heffernan to start work at QABC: Trainee Executive Assistant
20/10/97 8:30 AM Meet with Michelle for mail:
20/10/97 10:00 AM Meet with Peer Schenk:
20/10/97 12:30 PM Lunch with Richard Lewis: General catch up
20/10/97 3:00 PM Meet with KCR staff:
21/10/97 1:00 PM QABC Senior Management:
21/10/97 4:30 PM :
21/10/97 5:30 PM QABC BBQ (Walmsley/Kirk): "Oh Deer - Contraceptives for Bambi?"
22/10/97 10:30 AM Alan Chang to meet with KCR : Re: scientific positions
22/10/97 2:00 PM QABC Scientific Meeting: KCR to talk on London & agrobacterium alternatives
22/10/97 3:30 PM Kim Geedrick: work performance & progression
23/10/97 Michelle on Rec Leave:
23/10/97 Vetaform to visit QABC: Colin & Tony
23/10/97 9:00 AM Patent Attorney: Co-suppression, benign selection, transgenic sterility in fish. Aust Provisional? USA? UK? patents & inventory all relevant patents, re business strategy. Robert Rice re co-suppression (MMG), Christina Ruddick (Rod Cake)
23/10/97 12:00 PM Teleconference (Ag-Gene Board Meeting): Geoff Lambert, John Hunt. Hire Patent Attorney to write
23/10/97 1:00 PM Keith Williams: "Proteome: The meat in the sandwich between genomics and combinatorial chemistry"; Room 228, Molecular Biosciences Building, UQ
23/10/97 1:00 PM Lunch: Colin Davis, Tony Gestier, Paul Simpson
23/10/97 2:00 PM :
23/10/97 2:00 PM Dr Doug Wright to visit QABG: Chairman, MCRC Advisory Group
23/10/97 5:00 PM Moore-Gavett phone:
24/10/97 Ralf & Colleen in China: can be reached via email (ocgil@public.wh.hb.cn) and fax (0015-86-27-681 6451) of Professor Xu Zeyong at the Oil Crops Research Institute in Wuhan
24/10/97 8:00 AM Meet with Peter Young and Pam Swepson:
24/10/97 9:00 AM QABC Lab meeting:
24/10/97 11:00 AM Admin meeting: PY, KG, ML, MG, KCR
24/10/97 12:30 PM Brian King to meet with KCR:
24/10/97 3:00 PM Cheryl McCaffery at QABC: Uniquest (ex-Florigene; ref Janet Caffin); grains biotech workshop at Bribie? advice re John Hughes to handle phantom patents. need for knowledge of all relevant IP. Stressed need for IP manager in Ag-Gene; suggested contracting patent expertise if protection, enforcement and mangement of IP is not core business.
24/10/97 3:30 PM Seminar: "Some applications of molecular markers to sorghum breeding programs" David Jordan, Room 323, Hartley Teakle Bldg
24/10/97 4:00 PM Mick Graham wants KCR car:
25/10/97 Ralf & Colleen in China: can be reached via email (ocgil@public.wh.hb.cn) and fax (0015-86-27-681 6451) of Professor Xu Zeyong at the Oil Crops Research Institute in Wuhan
25/10/97 8:00 AM Golf with Dwayne Kirk: St Lucia
25/10/97 4:00 PM Amanda & Dwayne's Wedding:
26/10/97 Ralf & Colleen in China: can be reached via email (ocgil@public.wh.hb.cn) and fax (0015-86-27-681 6451) of Professor Xu Zeyong at the Oil Crops Research Institute in Wuhan
26/10/97 9:02 AM Golf at Nudgee: Mike Symons, John Williamson, Victor
27/10/97 Ralf & Colleen in China: can be reached via email (ocgil@public.wh.hb.cn) and fax (0015-86-27-681 6451) of Professor Xu Zeyong at the Oil Crops Research Institute in Wuhan
27/10/97 2:00 PM Brian King:
27/10/97 3:00 PM KCR to meet with Warren Hocy:
28/10/97 Ralf & Colleen in China: can be reached via email (ocgil@public.wh.hb.cn) and fax (0015-86-27-681 6451) of Professor Xu Zeyong at the Oil Crops Research Institute in Wuhan
28/10/97 Workshop at Bribie: "Strategic directions for grains, oilseeds, sugar and fibre crops"BIARC Conference Centre: send info to Bryan Whan
29/10/97 Ralf & Colleen in China: can be reached via email (ocgil@public.wh.hb.cn) and fax (0015-86-27-681 6451) of Professor Xu Zeyong at the Oil Crops Research Institute in Wuhan
29/10/97 5:30 PM Brisbane Developmental Biology Seminar: CMCB Seminar room third floor, Ritchie Laboratories UQ St Lucia CampusGraham Kay -QIMR. TOPIC- Screening Blastocysts for Imprinted Genes.Beer and Pizza will be provided courtesy of life technology.
30/10/97 Ralf & Colleen in China: can be reached via email (ocgil@public.wh.hb.cn) and fax (0015-86-27-681 6451) of Professor Xu Zeyong at the Oil Crops Research Institute in Wuhan
30/10/97 2:00 PM :
31/10/97 Ralf & Colleen in China: can be reached via email (ocgil@public.wh.hb.cn) and fax (0015-86-27-681 6451) of Professor Xu Zeyong at the Oil Crops Research Institute in Wuhan
31/10/97 8:00 AM Ian Jones: phone
31/10/97 9:00 AM QABC Lab meeting:
31/10/97 10:00 AM KCR Lab meeting:
31/10/97 11:00 AM Vivien McAnna to come to QABC: re:the possibility of Ithace Tafe being responsible for our computer maintenance. Vivien has expressed some interest in this and is sure we can come to some arrangements
31/10/97 12:00 PM CMCB seminar : Maize transposons and transgenic tomato: a powerful combination for cloning genes and regulatory sequences from plants.Centre for molecular and Cellular Biology, Seminar Room Level 3 Ritchie Research Building.
31/10/97 12:00 PM Marsupial CRC group meeting in KCR's office:
31/10/97 3:30 PM Seminar: "1.6 million sorghum crops" or "How does your sorghum grow" Prof. Richar Vanderlip, Kansas State Uni, Room 323, Hartley Teakle Bldg

EXHIBIT 2

CURRICULUM VITAE

Robert Rice

PERSONAL DETAILS

Address : Apicultural Service Manager (South Island)
Ministry of Agriculture
P.O. Box 24,
Lincoln,
New Zealand.
Telephone 64-3-3253920
Fax 64-3-3253918
E-mail ricer@lincoln.mqm.govt.nz

Home Address : House 62,
Lincoln University,
Lincoln, New Zealand.
Telephone 64-3-3253317

Date of Birth : 28th of October, 1958

Marital Status : Married

Citizenship : Australian

EDUCATION

QUALIFICATIONS AND TRAINING

Tertiary

1996 Doctorate of Philosophy
Thesis Title is "The Molecular Taxonomy of Two Microsporidia".
Australian National University, Canberra ACT
Submission Date 31/5/1996

1992 Bachelor of Science (Honours Degree)
Thesis Title : "The isolation of a putative alkaline protease gene from *Aspergillus nidulans*".
Awarded 1st Class Honours
University of New England, Armidale, New South Wales.

1991 Bachelor of Science (Majored in Genetics)
University of New England, Armidale, New South Wales.

1978 Associate Diploma in Rural Techniques (Apiculture)
Queensland Agricultural College, Lawes, Queensland.

WORK EXPERIENCE

1995-	Apiculture Services Manager, Ministry of Agriculture, Lincoln, New Zealand.
1993-94	Demonstrator (Casual), Biological Sciences Botany and Zoology Department Australian National University, Canberra ACT
1985-1988	Production Manager for Apiary Operations Rice's Aussie Bee Farm, Beaudesert, Queensland.
1983-1984	Field Agent National Mutual Life Association
1980-1983	Production Manager Rice's Aussie Bee Farm, Beaudesert, Queensland.
1978-1979	Honeybee Technologist Rice's Aussie Bee Farm, Beaudesert, Queensland.

Selection Criteria

Pre-requisite:

1.0 A PhD degree in molecular biology

I am about to submit a thesis for a Doctorate in Philosophy for which the research subject is entirely molecular biological in nature. The thesis is entitled ÒThe Molecular Taxonomy of Two Microsporidia.Ó The impending completion of my Doctorate meets the terms of the fellowship in that I have not had more than 3 years of relevant post-doctoral experience.

2.0 Task Areas and Associated Principal Activities

2.1 Proven research ability in molecular biology including molecular genetics

To demonstrate my research ability in both molecular biology and molecular genetics I will summarize laboratory research in recent years.

Bachelor of Science Honours Degree Research Summary

A genomic library was constructed for the fungus *A. nidulans* in the vector Lambda Gem-11. PCR primers were designed and a probe amplified from *A. oryzae* genomic DNA. The PCR-amplified probe contained sequence encoding the three conserved amino acid residues in the *A. oryzae* alkaline protease gene and flanking sequence known to be homologous within the subtilisin family. The *A. nidulans* genomic library was screened using this PCR-amplified probe. Two lambda transformants that potentially contained the putative alkaline protease gene of *A. nidulans* were isolated. Phage genomic DNA was isolated from these transformants and a restriction map of the inserts constructed. The maps suggested that a region of approximately 3 kb, containing two adjacent Xho I fragments, appeared to be in common between the two lambda clones. Southern blot analysis demonstrated that this 3 kb region and a Sac I/Eco RI sub-fragment from within this region were homologous to the PCR-amplified probe. A probe was constructed using this Sac I/Eco RI fragment.

Total RNA was isolated from the mycelium of five strains of *A. nidulans*. These strains exhibit a known pattern of protease expression when grown under different nutrient limiting and non-limiting conditions. Dot blot analyses of total RNA with the Sac I/Eco RI probe exhibited hybridization patterns consistent with the pattern of protease expression known to occur for the five mutant strains of *A. nidulans*. These results provided supportive evidence that all or part of the putative alkaline protease gene from *A. nidulans* had been isolated.

The nucleotide sequence of the *A. nidulans* alkaline protease gene was determined. The gene was found to be composed of four exons separated by three introns.

Doctorate Research Summary

The microsporidia are a very ancient group of obligate parasitic protists. They have an extensive host range including members of the phyla Arthropoda and Chordata. The microsporidia are known to have unusual cytological and molecular characteristics and have ribosomes and ribosomal RNAs

(rRNA) that are prokaryotic in size. Morphology, life cycle and host specificity studies of a few microsporidia have provided the necessary information for the taxonomic classification of microsporidia. However, there is considerable debate as to the accuracy of this taxonomic classification. The subject of this thesis is to determine the true taxonomic classification of the microsporidia. For this study the complete ribosomal operon was sequenced for one of two species of microsporida while the internal transcribed spacer and the large subunit were sequenced for the other species of microsporidia.

In order to undertake this research, several new techniques were developed. Because of the obligate intracellular parasitic nature of microsporidia the only phase of the life cycle from which genomic DNA can reliably be extracted is during the resting or spore phase. At this stage of the parasite's life cycle, it is enclosed in an extremely tough proteinaceous coat. This resting or spore stage allows the organism to survive in the environment while transferring from its dying host to a new host. The spore is ingested and germinates in response to host-specific chemical and ionic stimuli or otherwise it passes out with the feaces and again waits to be ingested by a new host. To obtain the high molecular weight genomic DNA required for this research, it was necessary to design protocols that encompassed both germination and DNA isolation for each species of microsporidians. The protocol for each species was different as the specific stimuli to trigger germination for both species of microsporidians was found to be different.

Secondly, as the non-transcribed spacer was to be sequenced it was necessary to develop a PCR technique that reliably amplifies fragments greater than 5kb, allowing for the use of conserved sequences within the ribosomal DNA. Kits are now available for expanded PCR. However, these kits were not available at the time this research was undertaken. Research reports published in 1993-94 demonstrated the potential for expanded PCR using lambda clones. In conjunction with these reports I developed a protocol that allowed for the amplification of fragments containing the non-transcribed spacer from genomic DNA. Eventually, I was able to amplify the entire ribosomal operons of the two microsporidians under study directly from genomic DNA. Furthermore, I demonstrated the usefulness of this technique by amplifying the entire ribosomal operon from the yeast *Cryptococcus neoformans* and then by amplifying entire plasmids containing inserts. This technique is potentially useful for site-directed mutagenesis of plasmid inserts.

I also have experience in cloning of large fragments, site-directed deletion, dye primer sequencing and dye terminator sequencing from clones and PCR products, together with sequence analysis using a number of software packages.

The results from my Doctorate research will be shortly available via my thesis and journal articles.

3.0 Professional/Technical Skills and Experience

3.1 Experience in constructing genome libraries

As outlined in (2.1) above, I have experience with constructing genomic libraries. As part of my honours degree research program I constructed a genomic library for the fungus *Aspergillus nidulans* in the vector Lambda Gem 11. The titre of this library was approximately 8 times that required for full representation of the *A. nidulans* genome. Additionally, isolated clones were mapped for a range of restriction sites.

3.2 Experience in DNA manipulation and mutagenesis

As outlined in (2.1) above, I have experience in DNA manipulation and mutagenesis. Technical skills include:-

- PCR both standard and extended
- Cloning in either plasmid or phage vectors
- Site-directed deletions by restriction digest and exonuclease digestion
- Insertion mutations by restriction and synthetic fragment insertion
- Site-directed mutations using extended PCR

3.3 Experience in communicating on a professional level

3.3.1 Scientific Communication.

Doctorate of Philosophy Thesis, 1996.
The molecular taxonomy of two microsporidians.
Principal Supervisors Dr. D. Anderson and Dr. P. Cooper

Honours Thesis, 1992.
The isolation of a putative alkaline protease gene from *Aspergillus nidulans*.
Supervisor Dr. M. E. Katz.

Isolation of an alkaline protease gene and regulation of extracellular protease production in *Aspergillus nidulans*. (1994) Gene 150, 287-292.
Margaret E. Katz, Robert N. Rice, Pam K. Flynn.

Paper Presented to the 17th Fungal Genetics Conference, Asilomar, California, 1993.
Molecular and genetic analysis of extracellular protease production in *Aspergillus nidulans*.
Margaret E. Katz, Robert N. Rice, Pam K. Flynn, and Brian F. Cheetham.

Paper Presented to the Lorne Genome Conference, Lorne, Victoria, 1994.
Regulation of extracellular protease production in *Aspergillus nidulans*.
Margaret E. Katz, Pam K. Flynn, Amir Masoumi, Robert N. Rice, Patrica van Kuyk, and Brian F. Cheetham.

3.3.2 Commissioned Survey and Disease Reviews.

A survey commissioned by The Ministry of Foreign Affairs and Trade, Wellington, New Zealand. March 1996.
A survey of blister beetles in honey bee colonies on Guadalcanal, Solomon Islands.
Robert N. Rice and G. Murray Reid.

A review and risk analysis commissioned by the Ministry of Agriculture Regulatory Authority, Wellington, New Zealand. April 1996.
European foulbrood, an exotic honey bee disease to New Zealand: An epidemiological review and risk analysis.
Robert N. Rice.

3.3.3 Industry Publications.

Disease Facts Part 1: *Nosema apis* a pathogen of honey bees.
Beefax Vol 1:1(1995), Ministry of Agriculture - Quality Management.
Taraunga, New Zealand.
Robert N. Rice

Disease Facts Part 2: *Nosema apis* a pathogen of honey bees.
Beefax Vol 1:2 (1995), Ministry of Agriculture - Quality Management.
Taraunga, New Zealand.
Robert N. Rice.

European Foulbrood a pathogen of honey bees.
Beefax Vol 1:4 (1996), Ministry of Agriculture - Quality Management.
Taraunga, New Zealand.
Robert N. Rice.

Undoing the biological zipper.
Beefax Vol 1:5 (1996), Ministry of Agriculture - Quality Management.
Taraunga, New Zealand.
Robert N. Rice.

3.4 Experience in the use of computers and database analysis.

My experience in using computers and database analysis is quite extensive. I am fluent in the use of commercial software such as Windows, Word for Windows, Excel (Microsoft) and WordPerfect for Windows (WordPerfect Corporation).

For research purposes I have used GCG (Genetic Computer Group, Inc.), PAUP - Phylogenetic analysis using parsimony (Swofford, D.L.), RNA_D2 (Dorisse-Perochon, J. and Michot, B.), DCSE - Dedicated Comparative Sequence Editor (De Rijk, P.) and CARD - A computer program for drawing RNA secondary structure models (Winnepenninckx, B. *et al.*), SEAVIEW and PHYLO_WIN - two graphic tools for sequence alignment and molecular phylogeny.

In addition to the use of the above mentioned software, I am fluent in the use of the internet including the World Wide Web, Gopher and FTP (File Transfer Protocol).

4.0 Personal Attributes

4.1 Proven ability to interact cooperatively and harmoniously with a variety of staff members and collaborators.

I demonstrate my abilities to interact cooperatively and harmoniously with others in two ways.

With the assistance of three employees I was directly responsible for the maintenance of 1,000 honey producing colonies, 7,000 mating colonies and 750 support colonies used in the maintenance of the mating colonies.

Secondly, as Apiculture Service Manager (South Island) for the Ministry of Agriculture - Quality Management, I work as part of a team, the National Apicultural Business Unit (NABU). Within this team I am responsible for the delivery of apiculture services to Government and beekeeping industry clients within the South Island of New Zealand. Major components of this role include: co-ordination and contribution to design of surveillance programmes for detection of exotic bee diseases such as European foulbrood disease, *Varroa, Tropilaelaps* and *Acarapis* mites; apiculture training for staff; implementation of response plans for exotic bee diseases; design and implementation of an endemic (American foulbrood) disease control programme; extension activities with individual beekeepers to help them control disease and improve the profitability of their operations; export certification; providing technical advice to Government on apicultural issues; providing consultant services; implementing provisions of the Apiaries Act and related legislation. Within this position I have additional technical roles as a bee disease epidemiologist and researching technical improvements to surveillance and disease response systems. As demonstrated by the broad range of my duties it is necessary that I have the ability to interact co-operatively and harmoniously with a large number of people from diverse backgrounds both occupational and ethnic.

4.2 Demonstrate the ability to work effectively without close, direct supervision.

As outlined in (4.1) I have clearly demonstrated my abilities in working effectively without close, direct supervision. This ability was necessary both in my occupation as production manager for A "Rice's Aussie Bee Farm" and in my current position as Apiculture Service Manager.

4.3 Ability to work in accordance with EEO, OH&S and Industrial Democracy principles.

I personally have a commitment to working in and support of the Equal Employment Opportunities (EEO) environment. I am fully aware of the principles of Occupational Health and Safety (OH&S) and Industrial Democracy. The Ministry of Agriculture operates entirely within this environment and under these principles.

5.0 Commitment

5.1 Demonstrate commitment to a high level of personal performance and the provision of quality outcomes.

High levels of personal performance and quality outcomes are the corner stone of my philosophy of life. I am a highly self-motivated individual and have shown a high degree of initiative. A summary of my life's achievements demonstrates these qualities. As the production manager of "Rice's Aussie Bee Farm", a highly successful and internationally recognized company, it was my responsibility to meet production deadlines, fulfilling the needs of clients both nationally and internationally. This dedication to the clients' needs generated on-going business from clients over many years. As a self-employed, commissioned-based field agent for the National Mutual Life Insurance Company, my income was governed by my ability to prospect for and generate sales of products marketed by National Mutual. In my first year as a field agent I received an award for meeting of sales goals set by National Mutual. At age 28 I took it upon myself as a married person with children to further my education. This education process has encompassed the completion of a science degree, honours degree and currently a doctorate. In order for me to undertake my Doctorate it was necessary for me

to apply for and be awarded a research grant from the Honey Bee Development and Research Council.

5.2 Ability to adapt to changes in procedural demands in the course of a project.

I would have to say that adaptability is my middle name. In the course of this application I have demonstrated my ability not only to adapt to changes within a specific field but have also demonstrated my ability to adapt to complete changes in fields of pursuit.

Referees

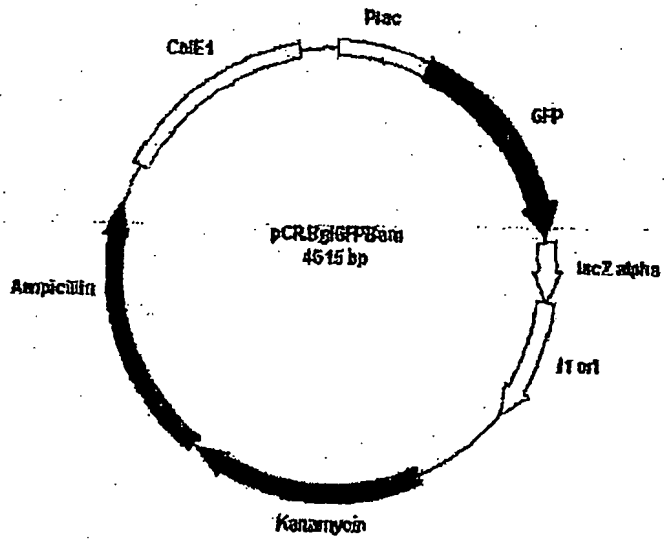
Dr D. Anderson, CSIRO Division of Entomology, GPO Box 1700, Canberra, ACT, 2601.

Dr P. Cooper, Botany and Zoology Department, Australian National University, Canberra, ACT, 0200.

Dr P. Keese, CSIRO Division of Plant Industries, GPO Box 1600, Canberra, ACT, 2601.

Dr A. Gibbs, Research School of Biological Sciences, Australian National University, Canberra, ACT, 0200.

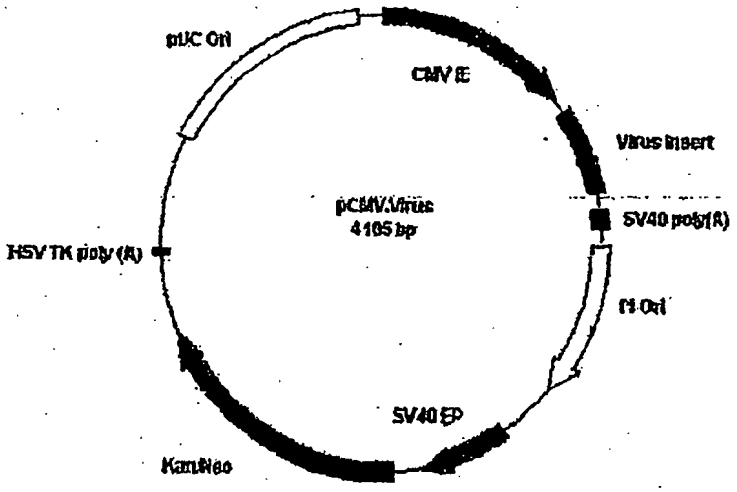
EXHIBIT 3



Author:
Date:
Notes:

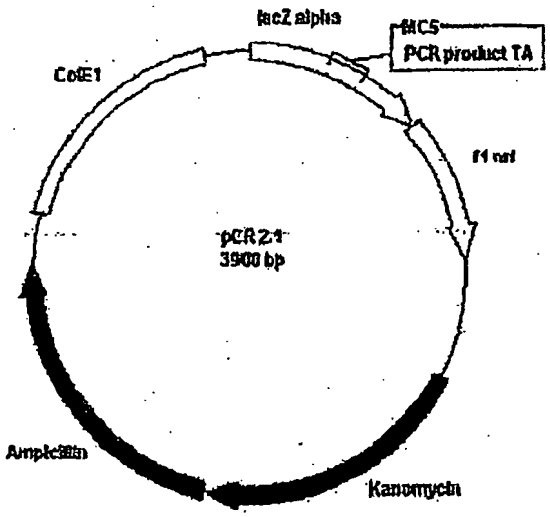
PBG40LBA-PLA

Created 21/01/1998

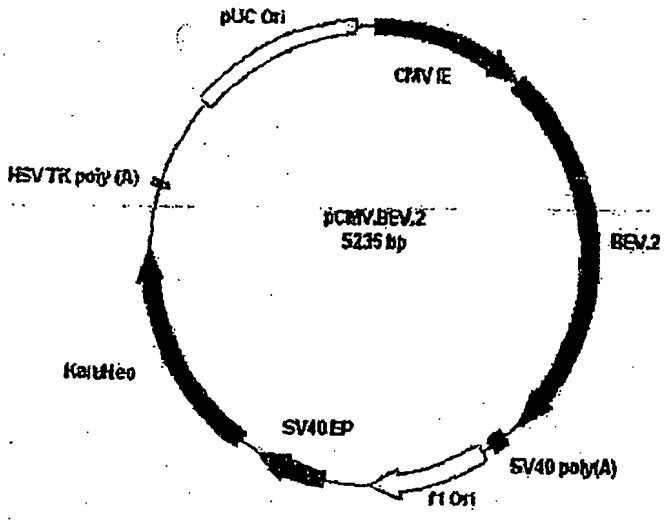


Author:
Date:
Notes:

PCMV_VIR.PLA
Created 21/01/1998

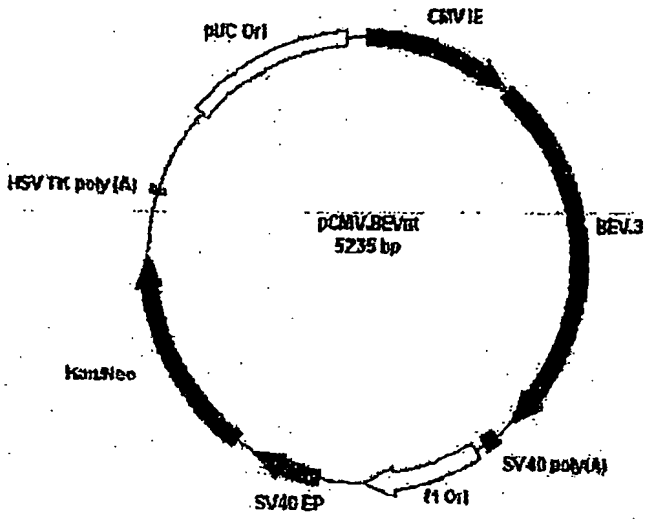


Author: PCR2_1.PLA
Date:
Notes: Created 21/01/1998



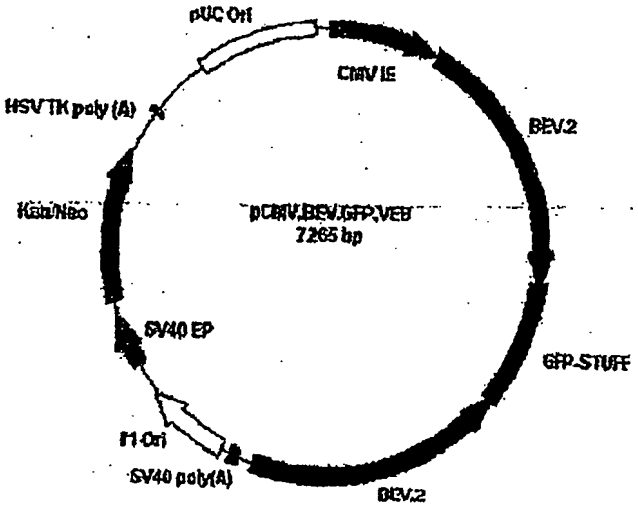
Author:
Date:
Notes:

PCMVBEV2.PLA
created 22/01/1998



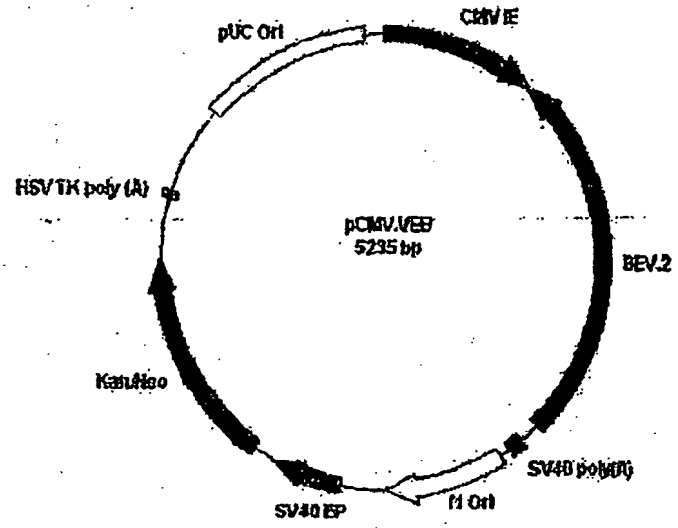
nt = Non-translatable

Author:
Date:
Notes: PCMVBEV3.PLA
created 22/01/1998



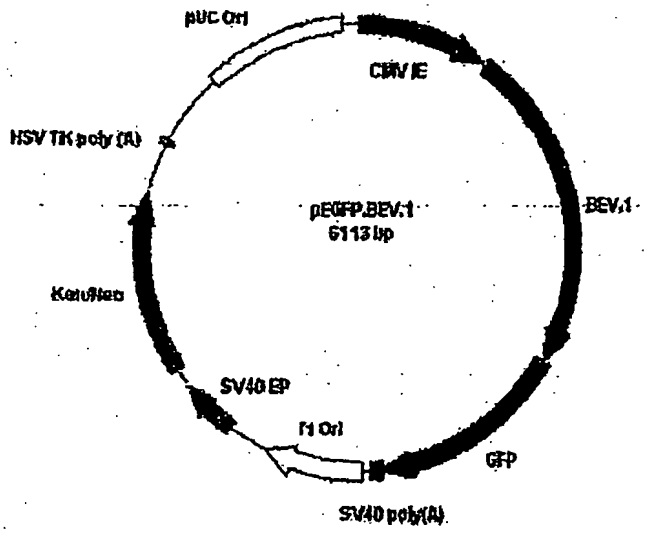
Author:
Date:
Notes:

PCMVBGV.PLA
Created 22/01/1998



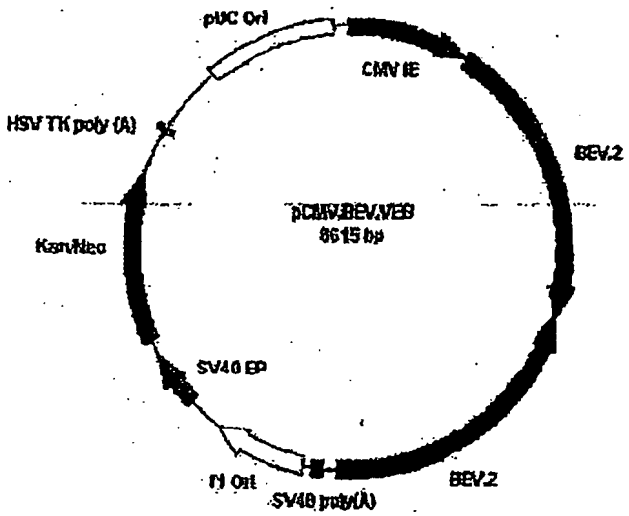
Author:
Date:
Notes: PCMVVEB2.PLA

Created 22/01/1998



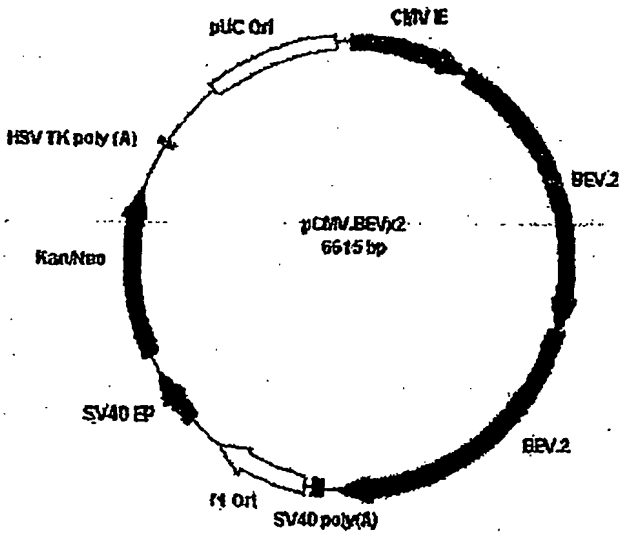
Author:
Date:
Notes:

PEGFPBEV.PLA
created 22/01/1998



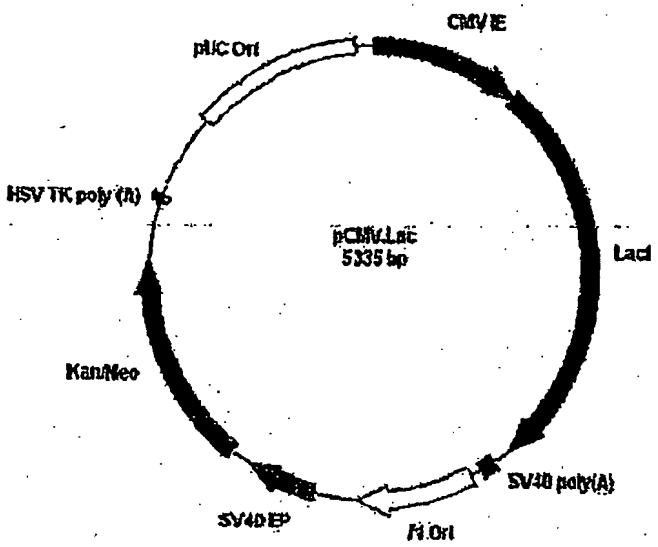
Author:
Date:
Notes:

PCMV BEV.VEB
Vected 22/01/1998



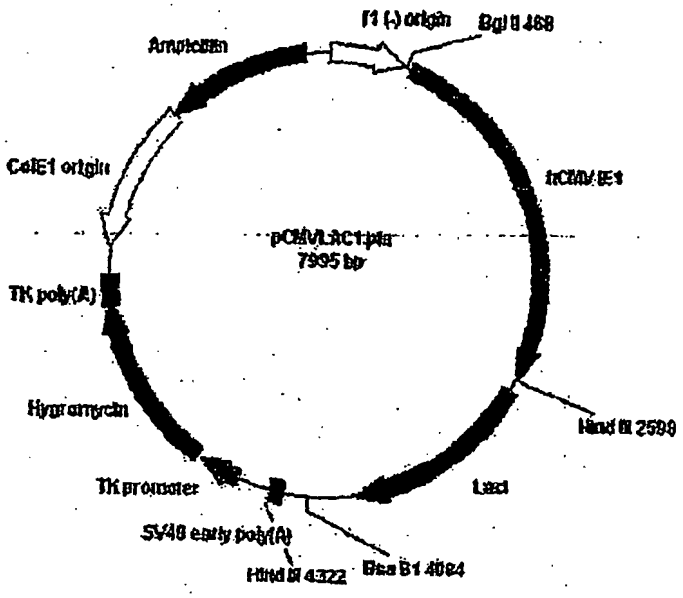
Author:
Date:
Notes: pCMVBEV2.X2

created 22/01/1998



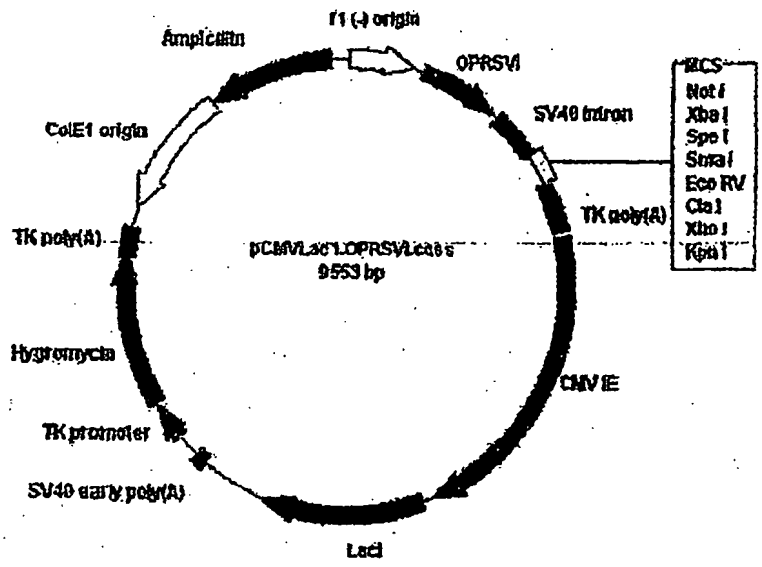
Author:
Date:
Notes:

PCMV_LAC.PLA
Created 25/02/1998



Author:
Date:
Notes:

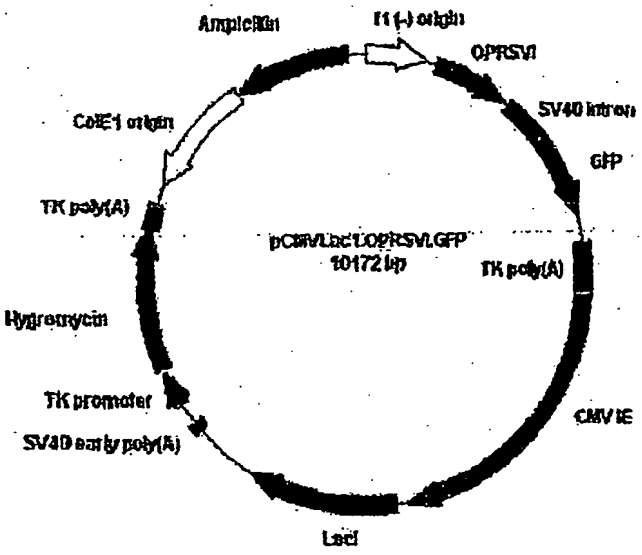
PCMVLAC1.PIA
created 25/02/1998



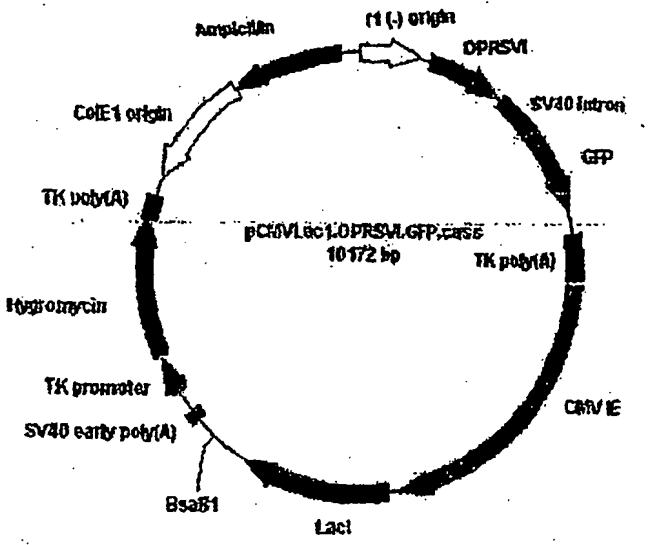
Author:
Date:
Notes:

PCMVORFS.CAS

Created 26/02/1998



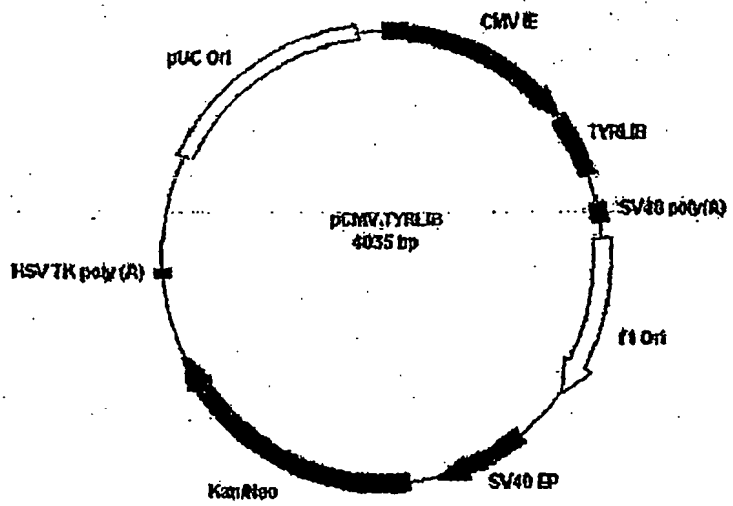
Author:
Date:
Notes: CMOPRGFP. PLA
created 26/02/1998



Author:
Date:
Notes:

CMOPRGFP.CAS

created 27/02/1998



Author: CMVTRYLI.PLA
Date: Created 27/02/1998
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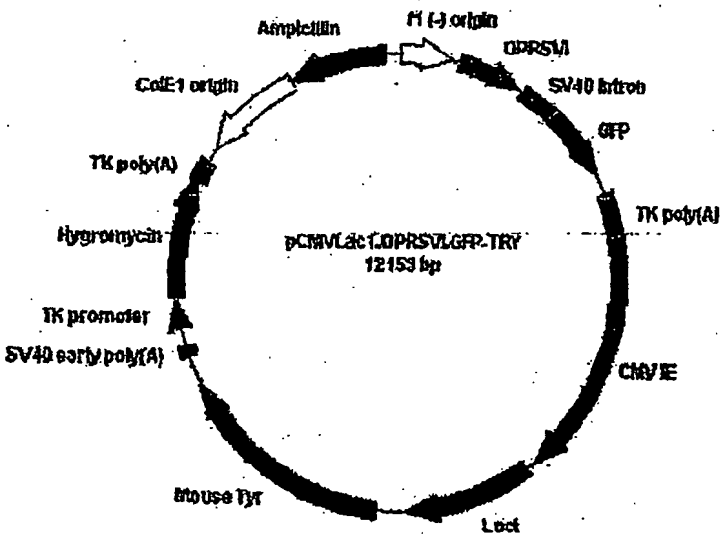
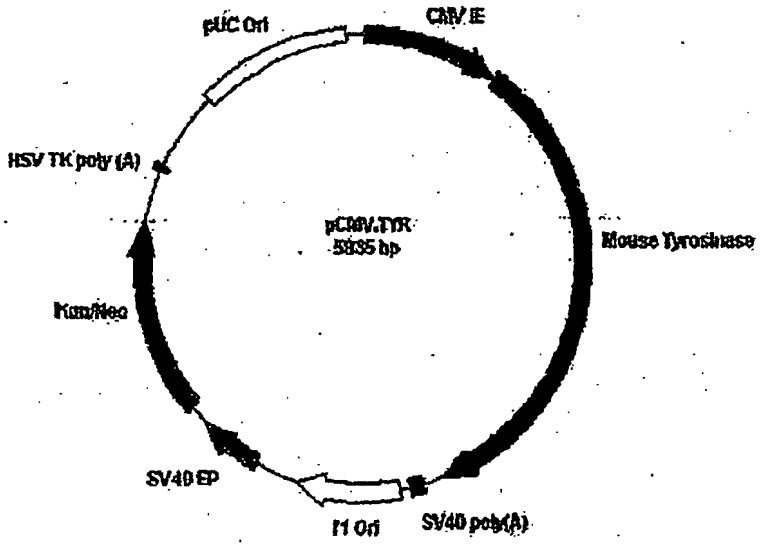
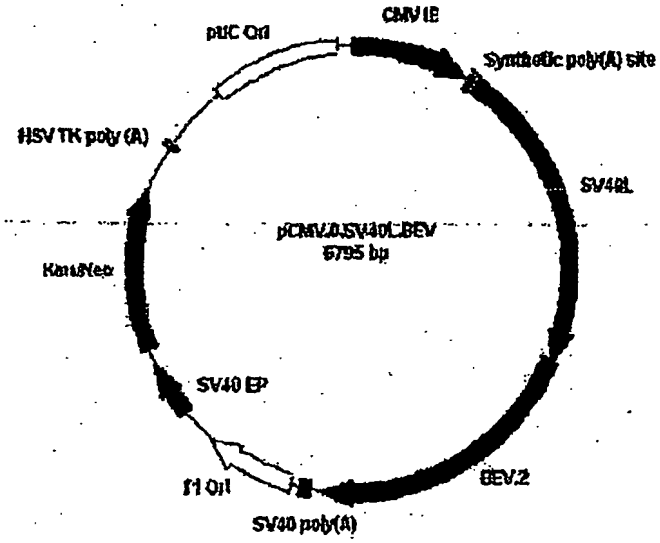


Author: CMOPRGFT.PLA
Date:
Notes: Created 27/01/1998

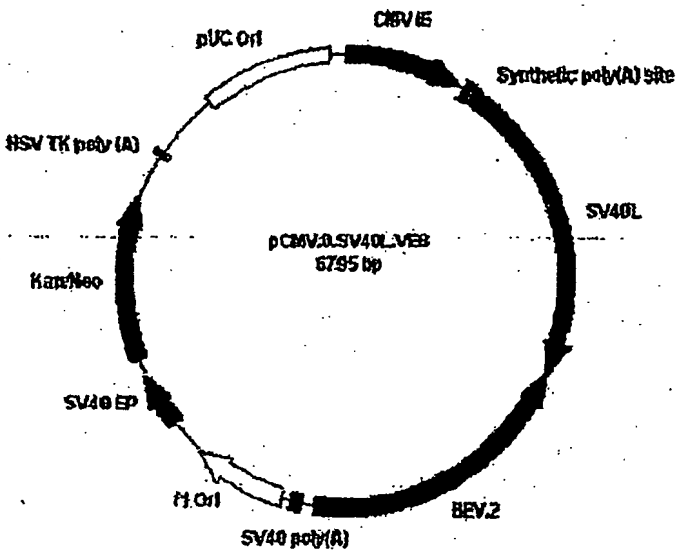


Author:
Date:
Notes:

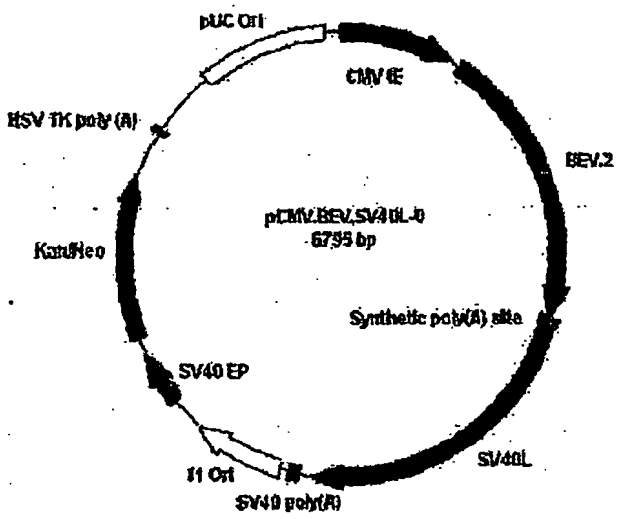
CMVTRY.PLA
Created 2/03/1998



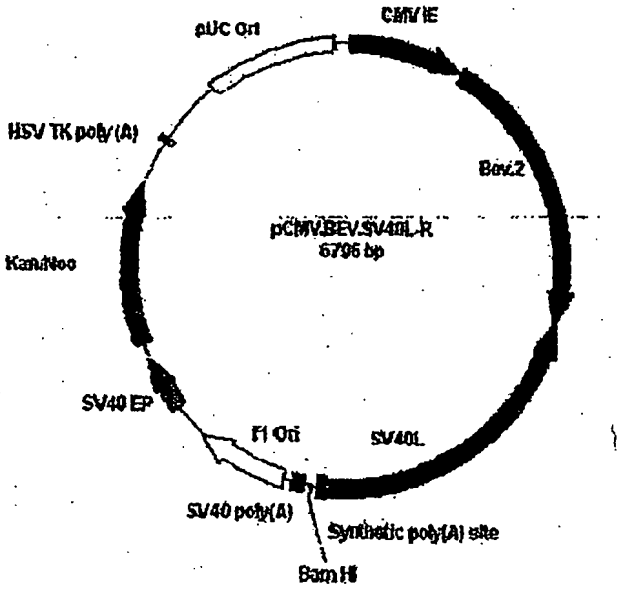
Author:
Date:
Notes: File 03V40BE.pla
Created 5/03/1998



Author: OSV40VEB. P/a
Date:
Notes: Created 5/03/1999

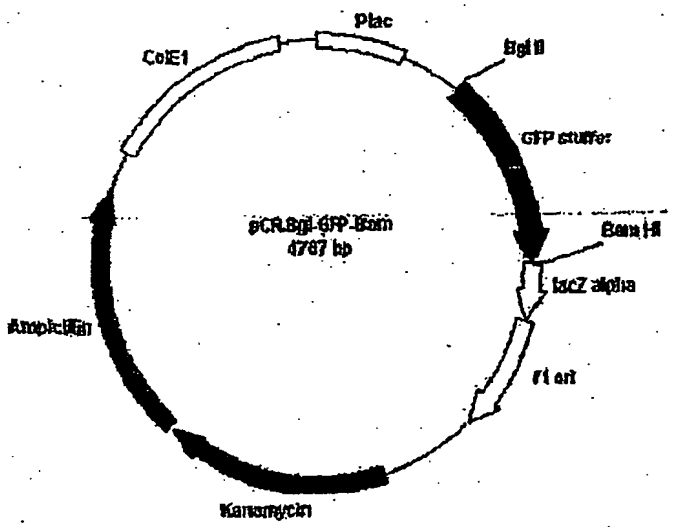


Author: BE_S40_0.pla
Date:
Notes: Created 5/03/1998

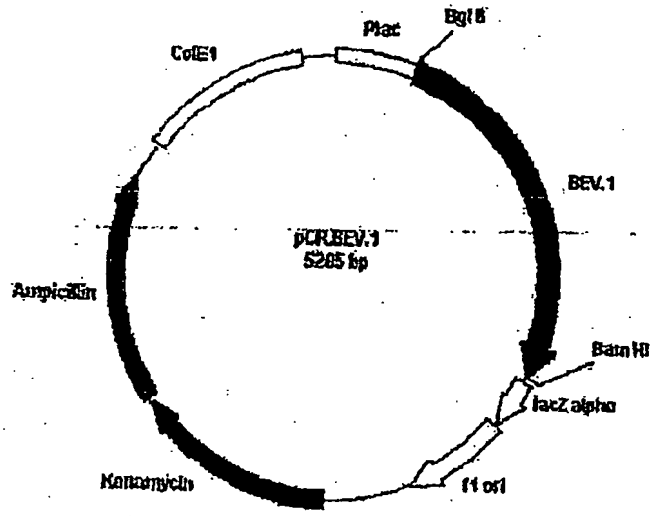


Author:
Data:
Notes:

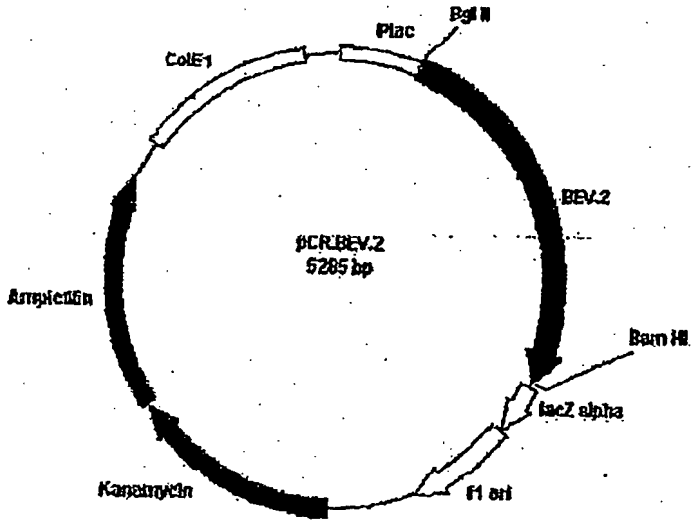
CMBEV40R. PLA
Created 5/03/1998



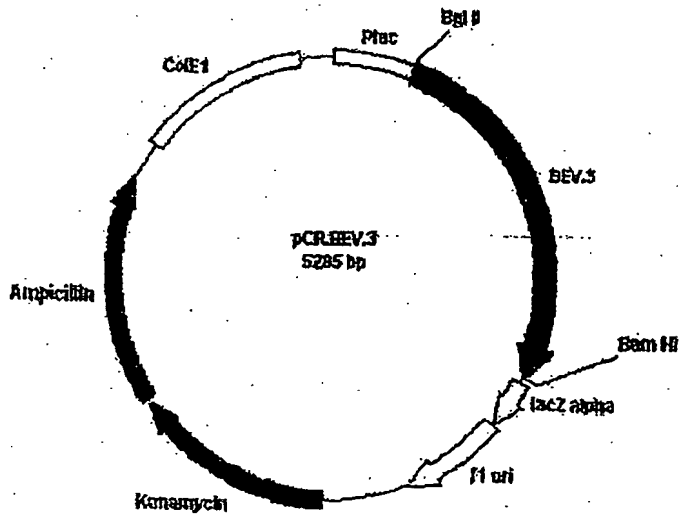
Author: PCBGFPBA. PLA
Date: created 5/03/1998
Notes:



Author: PCR_BEV1.PLA
Date: Created 5/03/1998
Notes:

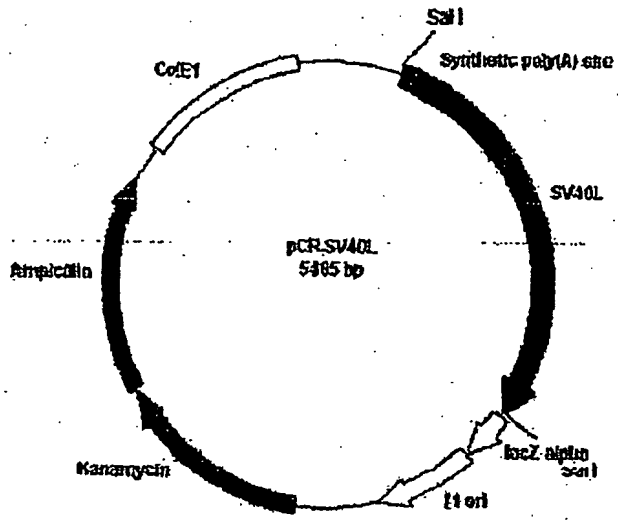


Author: PCR_BEV2.PLA
Date: Created 5/03/1998
Notes:



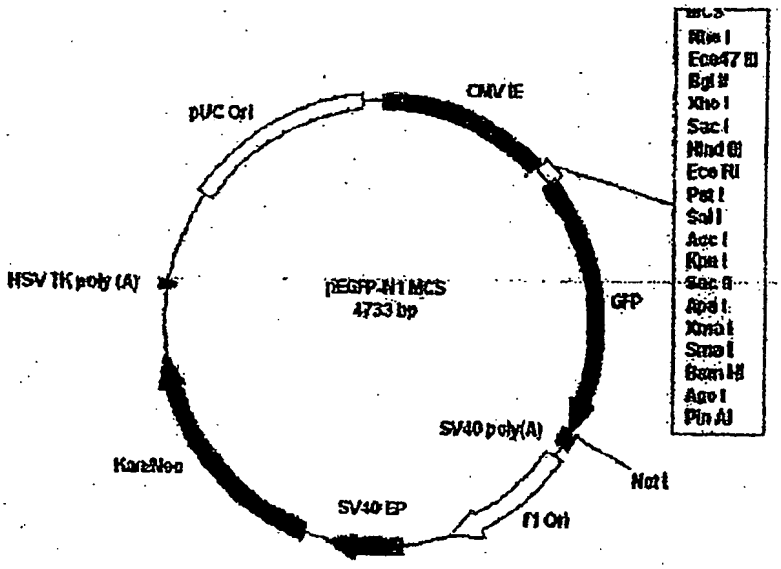
Author:
Date:
Notes:

PCR_BEV3.PLA
created 5/03/1998



Author:
Date:
Notes:

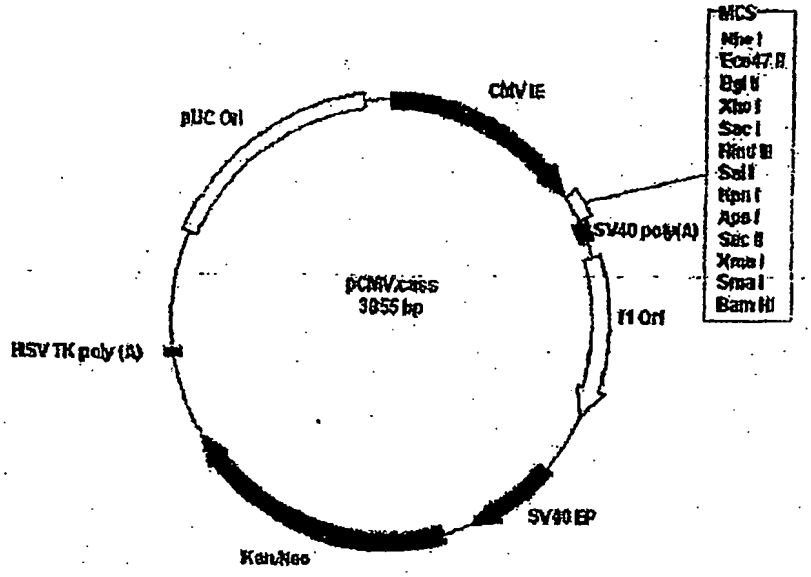
PCR SV40L. PLA
created 5/03/1998



Author: Robert Rice
Date: 22/1/98
Notes:

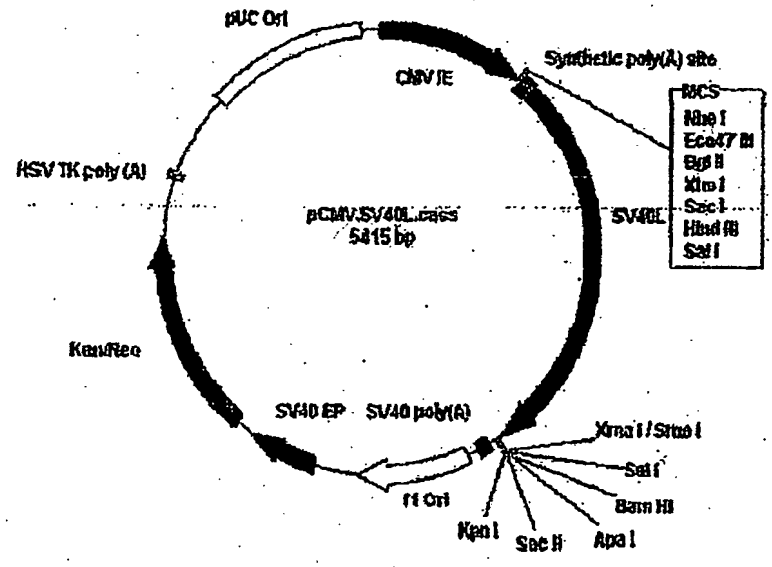
Expression cassette: pEGFP-N1MCS; A commercially obtained vector (CLONTECH) from which most expression constructs are be derived..
to

PEGFP-N1.PLA
Created 5/03/1998



Author:
Date:
Notes: PCMV.CAS

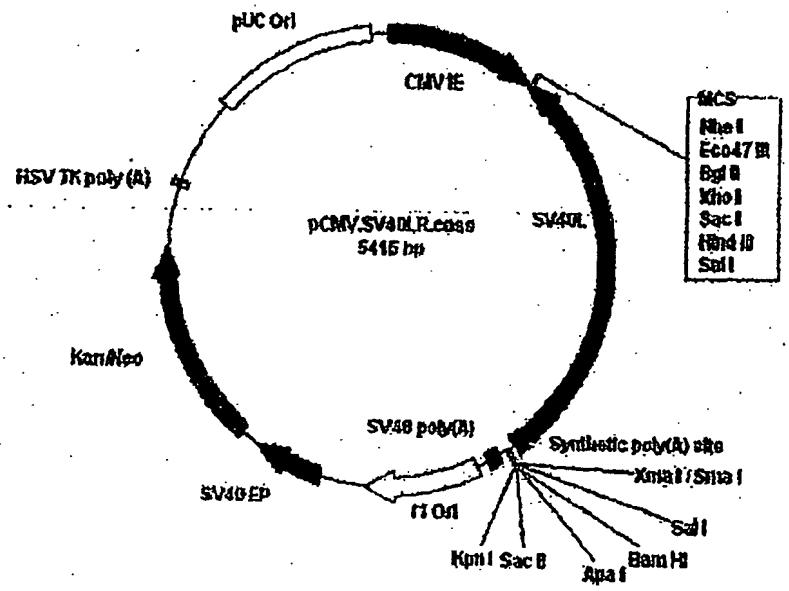
created 6/03/1998



Author:
Date:
Notes:

PCMV SV40. CAS

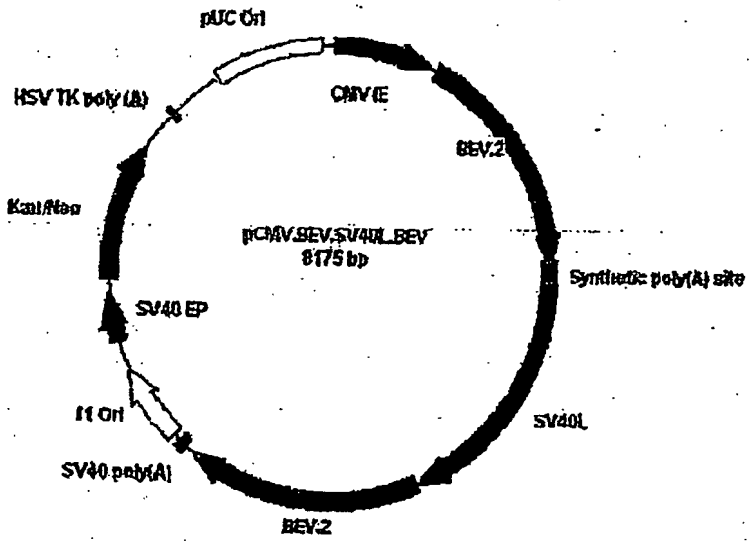
Created 6/03/1998



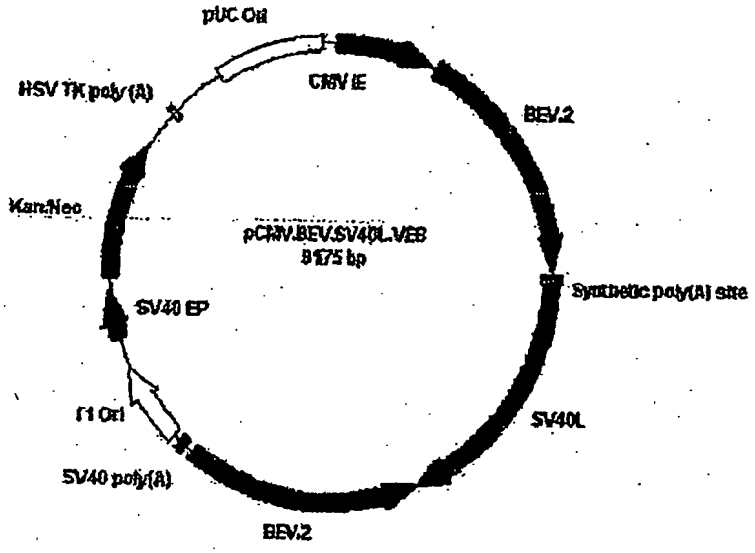
Author:
Date:
Notes:

PCMVSV4R.CAS

Created 6/03/1998

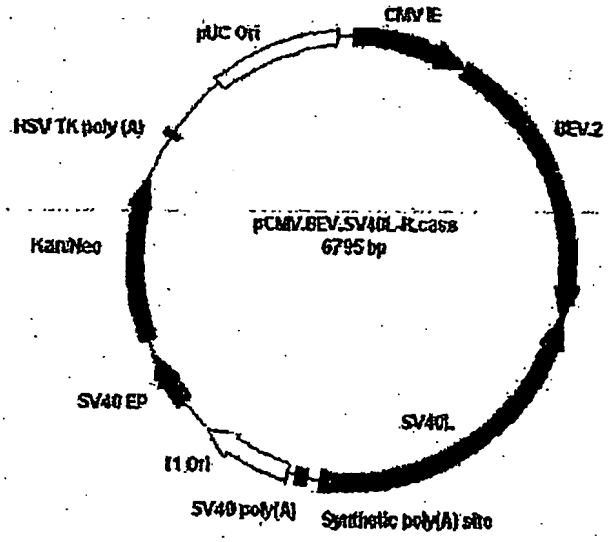


Author: BEVSV BEV. PIA
Date:
Notes: Created 6/03/1998



Author:
Date:
Notes:

BEVSVVEB.P1A
Created 6/03/1998



Author: CMBE SV4R. PIA
Date:
Notes: Created 6/03/1998